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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
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SWIDLER B	ERLIN SHEREFF FRIE	GORDON, RAEANN			
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WASHINGTON, DC 20007			3711	10	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) Texaminer Art Unit Examiner Art Unit Examiner Art Unit Examiner Art Unit Art Unit			/ Y				
Examiner Reann Gorden 3711 3		Application No.	Applicant(s)				
Reason Gorden 3711		09/923,071	SULLIVAN, MICHAEL J.				
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Eatherison of time ray be available under the provisions of 3 CFR 1.13(6). In or event, however, may a reply be limited yillod Eatherison of time ray be available under the provisions of 3 CFR 1.73(6). In or event, however, may a reply be limited yillod Eatherison of time ray be available under the provisions of 3 CFR 1.73(6). If the pared for reply specified above is less time thirty (10) stays, a reply with the statutory minimum of thirty (30) stays will be considered string). If NO period for reply specified above is the string of the communication of the communication. If NO period for reply is specified above, the maniform dark of the communication of the communication. If NO period for reply is specified above, the maniform dark of the communication of the communication. If NO period (10) (NON) the state of the communication of the communication of the communication. If NO period (10) (NON) the state of the communication of the provided provided and the practice under Ex parts Quayle, 1935 c.D. 11, 453 O.G. 213. Isposition of Claims 4) Claim(s) 1,510.12.13.16.17.23.23 is/are pending in the application. 4) Claim(s) 1,510.12.13.16.17.23.26.28-31.33 and 34 is/are rejected. 7) Claim(s) 1,25-8.10.12.13.16.17.23-26.28-31.33 and 34 is/are rejected. 7) Claim(s) 1,25-8.10.12.13.16.17.23-26.28-31.33 and 34 is/are rejected. 7) Claim(s) 1,25-8.10.12.13.16.17.23-26.28-31.33 and 34 is/are rejected. 7) The crawinge's filled on	Office Action Summary	Examiner	Art Unit				
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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 10, 12, 13, 16, 17, 23-26, 29-31, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimosaka et al (5.730.665). Regarding claim 1. Shimosaka discloses a golf ball comprising a core and a multi-layer cover. The intermediate layer of the cover is formed from single or plural layers of a laminate film (abstract). The film has a thickness from 50 to 400 um or 0.05 to 0.4 mm (col. 3. line 64). Regarding claim 2, the film may be made from polyurethane, silicone, or epoxy (col. 3, lines 55-62). Regarding claim 10, the intermediate layer of the cover is formed from single or plural layers of a laminate film (abstract). Regarding claims 12 and 13. the film has a thickness from 50 to 400 um or 0.05 to 0.4 mm (col 3, line 64). Regarding claim 16, the core is made from polybutadiene (col. 5). Regarding claim 17, the outer cover is made from polyurethane (col. 3, line 66-col. 4, line 5). Regarding claim 23. Shimosaka discloses a golf ball comprising a core and a multi-layer cover. The remaining limitations are method steps and are not relevant to the final product. Regarding claim 24, process of curing and the hardness relative to different stages of the curing are method steps and not relevant to the final product. Regarding claim 25, a

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layer is disposed between the film layer and the core, layer 3 (see fig 1). Regarding claim 26, the film may be made from polyurethane, silicone, or epoxy (col. 3, lines 55-62). Regarding claim 29, the intermediate layer of the cover is formed from single or plural layers of a laminate film (abstract). Regarding claim 30, Shimosaka discloses a golf ball comprising a core and a multi-layer cover. The intermediate layer of the cover is formed from single or plural layers of a laminate film (abstract). The film has a thickness from 50 to 400 um or 0.05 to 0.4 mm (col. 3, line 64). The process of curing and the hardness and tensile strength relative to different stages of the curing are method steps and not relevant to the final product. Regarding claim 31, the film may be made from polyurethane, silicone, or epoxy (col. 3, lines 55-62). Regarding claim 34, the film has a thickness from 50 to 400 um or 0.05 to 0.4 mm (col. 3, line 64).

Claims 5-8, 28, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimosaka et al (5,730,665) in view of Sullivan (6,015,356) Shimosaka discloses the invention as shown above but does not disclose fillers in the intermediate cover layer. However, Sullivan teaches fillers in a cover intermediate layer. One skilled in the art would have included fillers in the layer to achieve the desired weight of the golf ball (see Sullivan abstract).

Allowable Subject Matter

Claims 3, 4, 27, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Response to Arguments

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Applicant's arguments with respect to claims 1-8, 10, 12, 13, 16, 17, and 23-34

have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Raeann Gorden whose telephone number is 703-308-

8354. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Paul Sewell can be reached on 703-308-2126. The fax phone numbers for

the organization where this application or proceeding is assigned are 703-872-9302 for

regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1148.

Raeann Gorden

Examiner

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October 1, 2003